

Karen Bouquillon
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Montgomery, MA 01085

Robert Sydney
General Counsel, Division of Energy Resources
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Boston, MA 02114

**RE: PUBLIC COMMENT ON PROPOSED REVISIONS TO RENEWABLE ENERGY PORTFOLIO
STANDARD (225 CMR 14.00)**

Dear Mr. Sydney;

I am writing as a citizen who has been employed in various waste management positions in the public, private and non-profit sectors since 1990. I am currently the Solid Waste Management Supervisor for the Northampton Department of Public Works, where I am involved on a day-to-day basis with the Northampton Regional Landfill. Because of my familiarity with the composition of the Construction and Demolition (C&D) waste stream, I was responsible for designing and implementing compliance programs for the Department of Environmental Protection's (DEP's) wood waste ban, which became effective on July 1, 2006. My work experience also includes nearly fifteen years as a general contractor, during which time I performed extensive renovations of four buildings. I am currently involved in several local committees as a proponent of renewable energy and climate protection.

I am strongly opposed to the proposed language change in the regulations, and urge DOER to keep the original language. Organic refuse-derived fuel must continue to be collected and managed separately from municipal solid waste (i.e., it must be source-separated) to reduce the possibility of contamination with heavy metals, hazardous wastes and other waste materials that can produce dangerous pollutants when incinerated.

"Construction and demolition (C&D) wood" should not be included in the new language. C&D is a very messy, mixed waste stream that contains an awesome number of toxic components. ***Because "dirty wood" cannot be made into "clean wood" just by separating it out from insulation, gypsum, shingles, plastics and other C&D debris, it should continue to be categorized as a solid waste. In fact, many types of C&D materials should be categorized as hazardous wastes.*** The test data of fines and residuals from Massachusetts currently permitted C&D processors routinely fail the TCLP for lead and other heavy metals. These test results also show that C&D fines and residuals do not meet the DEP's standards for reuse at landfills. [According to the federal EPA, 87 separate hazardous air pollutants have been associated with the incineration of C&D wastes, including pollutants that can cause cancer, asthma, fetal brain damage, and even death.](#) If the DOER reclassifies C&D waste as a waste-derived product, [the 5 million tons of C&D generated in Massachusetts each year could be eligible for incineration.](#) Has DOER calculated how much lead, mercury, copper, arsenic, chromium, cadmium, creosote, pentachlorophenol, asbestos and other toxic compounds would be released into our environment if millions of tons of C&D debris were burned every year in Massachusetts?

While I recognize the complex economic and political factors that may have brought DOER to the conclusion that redefining C&D waste makes sense, I strenuously object. This proposal represents a serious threat to human health and the environment, with detrimental short and long-term effects that are obvious. The best available technologies will not make these problems go away, as they can only reduce the quantities of toxic elements and compounds that are released into our air, our water, our forests, our croplands, our wildlife, and our bodies. Please keep the current definition of eligible biomass fuel as it is. Source separation is a key, and the original definition eligible biomass fuel would allow for an appropriate portion of the C&D waste stream to be harvested as renewable energy. Thank you for your consideration.